



TOWN OF TRURO
Conservation Commission
24 Town Hall Road
P.O. Box 2030, Truro MA 02666

Conservation Commission Meeting Minutes

July 19, 2016

2:00 P.M. in the Selectman's Meeting Room

Members Present: Deborah McCutcheon (Chair), Jim Bisceglia, Diane Messinger, Henry Lum and Linda Noons-Rose

Others Present: Emily Beebe-Assistant Conservation Agent

At 2:05 PM the meeting was called to order and the hearing was opened for **214/216 Shore Rd (off Town Beach at Beach Point Landing), Notice of Intent, Daniel Smith, proposed aquaculture grant, SE# 75-0966**: This matter was continued from July 11 2016. The Notice of Intent for this project included installation and operation of a shellfish growing business on State tidelands adjacent to the Town-owned beach (Map 20, parcel 3) and access point (map 20, parcel 2) known as "Pilgrims Landing" or "Beach point landing" and located directly east of the Top Mast Motel.

Applicant Daniel Smith and his attorney Bill Henchy were present, as were abutters and interested parties. A draft Order of Conditions had been prepared and sent to all parties in addition to the Conservation Commission.

The Chair asked the applicant and abutter to review the waiver of participation form provided by the Commission. Mr. Henchy asked Linda Noons Rose if she was familiar with the file, and Linda stated that she was. Mr. Henchy signed the waiver. Mr. Murphy, attorney for the abutter also signed the waiver.

The Commission reviewed the draft Order of Conditions findings and discussed the access proposed. Chair McCutcheon recommended creation of a new finding to address the public interests and the applicant's proposal to remove parcel 3 from the application.

Motion: To find that both parcels 2 and 3 are implicated in the interests of Storm Damage prevention and protection of habitat for marine animals including various species of turtles and whales. Motion by McCutcheon; second by Bisceglia. Approved 4-0-1.

Motion: To find that both parcels 2 and 3 are affected by the project and the impacts on parcel 3 are of such significance that the parcel cannot be removed from the project scope and that the Order of Conditions and findings must reflect this. Motion by McCutcheon; second by Bisceglia. Approved 4-0-1.

There was a question by the applicant about finding #4, which referred to the use of helix anchors. The applicant expressed concerned that there was no provision for an alternative means of anchoring. The Chair responded that the applicant could return to the

Commission with an alternative proposal should there be a need.

The Commission discussed the opening paragraph to the conditions; new language was added to address conflicts so that the Special Order of Conditions shall control.

Motion: to change text of opening paragraph to Special Conditions. Motion by McCutcheon; second by Bisceglia. Approved 4-0-1.

The discussion moved to condition 2 and concerns about the grant holder excluding the public and wildlife from the area. There was a suggestion that at least 20 feet of access corridor should be provided down the middle of the proposed grant area. The applicant responded that the lines of the corridors will never be straight, as the cages are constantly moving and heavy, and they may be dangerous to the public.

Commissioner Biscelia thought the corridor was not a good idea, and possibly not in the Commission's purview as the Division of Marine Fisheries (DMF) had already reviewed the application. Commissioner Noons-Rose commented that DMF did not address the public's access.

Jason Silva, an abutter and member of the Truro Board of Health expressed concerns about the cages being covered with bird droppings, and what that meant to water quality at this location.

The letter from the Division of Marine Fisheries was discussed, and a motion was made to adopt their language.

Motion: to include condition #3 from the DMF letter in lieu of condition #2 from the Commission's draft Order of Conditions. Motion by McCutcheon; second by Bisceglia. Approved 4-0-1.

There was continued discussion about the proposed special conditions. The language of several conditions was adjusted and there was discussion about the requirement of annual reporting, and the Certificate of Compliance process.

Motion: To approve the Order of Conditions for SE# 75-0966. Motion by Lum; second by Noons-Rose. Approved 4-0-1.

The meeting was adjourned at 3:15 PM.

Emily Beebe, Conservation Agent